

Appl. No. 10/090,053  
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### REMARKS

In accordance with the foregoing the specification has been amended merely to correct certain reference numerals to be consistent with the drawings. New claims 6 and 7 have been added. Claims 1-7 are pending and under consideration.

Claims 1-5 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,708,062 to Ericksen et al. ("Erickson"). The Examiner's rejection is respectfully traversed.

The present invention is directed to a prolongation of the PAV interval subsequent to a sensed premature beat, whether atrial or ventricular, in conjunction with the calculation of the paced escape interval used by the rate stabilization, or other pacing prevention algorithm. The increased duration of the PAV interval is calculated and based on whether the ventricular event prior to the PVC was sensed or paced. The prolongation of the PAV interval allows an intrinsic ventricular depolarization to occur, thereby attaining and maintaining ventricular regularization and AV synchronization. The first PAV interval has the longest extension, with subsequent PAV intervals becoming shorter until the programmed PAV interval is reached. Such a method provides a transition back to a fully paced or sensed rhythm to match the rhythm prior to the PVC, without abrupt ventricular rate changes.

While Erickson generally suggests adaptively varying a PAV interval length, as suggested by the Examiner, Erickson does not teach or suggest prolonging a first PAV interval subsequent to a sensed premature beat, as set forth in Independent claims 1 and 5 of the present application. Therefore, independent claim 1 and claims 2-4 dependent thereon and independent claim 5 are patentably distinguishable from Erickson. Accordingly, withdrawal of the rejection is respectfully requested.

New claims 6 and 7 have been added. Support for new claims 6 and 7 can be found, for example, at page 11, line 30 to page 12, line 6. No new matter

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has been added. Accordingly, entry and consideration of new claims 6 and 7 is respectfully requested.

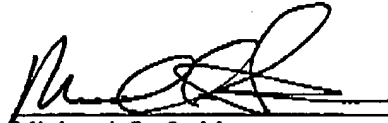
There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this Amendment, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

Respectfully submitted,

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